

EXHIBIT 1

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Mark: IN-N-OUT

IN-N-OUT

US Serial Number: 73133175

Application Filing Jul. 07, 1977
Date:

US Registration 1085163
Number:

Registration Date: Feb. 07, 1978

Register: Principal

Mark Type: Service Mark

TM5 Common Status
Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Dec. 06, 2017

Mark Information

Mark Literal IN-N-OUT

Elements:

Standard Character Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Claim:

Mark Drawing 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)
Type:

Related Properties Information

Claimed Ownership 1031095, 1031096, 1023506
of US
Registrations:

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *...* identify additional (new) wording in the goods/services.

For: RESTAURANT SERVICES AND CARRY-OUT RESTAURANT SERVICES

International 042 - Primary Class
Class(es):

U.S Class(es): 100

Class Status: ACTIVE

First Use: 1949

Use in Commerce: 1949

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44D: No

Filed 44E: No

Currently 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: IN-N-OUT BURGERS**Owner Address:** 4199 CAMPUS DRIVE, SUITE 900
IRVINE, CALIFORNIA UNITED STATES 92612**Legal Entity Type:** CORPORATION**State or Country** CALIFORNIA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: ARNOLD M WENSINGER**Attorney Primary Email Address:** vsarigumba@innout.com**Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: ARNOLD M WENSINGERIN-N-OUT BURGERS
4199 CAMPUS DR STE 900
IRVINE, CALIFORNIA UNITED STATES 92612**Phone:** 9495096289**Correspondent e-mail:** vsarigumba@innout.com rblake@innout.com**Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|--|-------------------|
| Apr. 04, 2018 | NOTICE OF SUIT | |
| Mar. 05, 2018 | NOTICE OF SUIT | |
| Dec. 06, 2017 | NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED | |
| Dec. 06, 2017 | REGISTERED AND RENEWED (THIRD RENEWAL - 10 YRS) | |
| Dec. 06, 2017 | REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED | |
| Dec. 05, 2017 | TEAS SECTION 8 & 9 RECEIVED | |
| Mar. 16, 2017 | NOTICE OF SUIT | |
| Mar. 16, 2017 | NOTICE OF SUIT | |
| Feb. 16, 2017 | NOTICE OF SUIT | |
| Feb. 16, 2017 | NOTICE OF SUIT | |
| Sep. 19, 2012 | NOTICE OF SUIT | |
| Jun. 21, 2010 | NOTICE OF SUIT | |
| Jul. 01, 2008 | NOTICE OF SUIT | |
| Jun. 25, 2008 | NOTICE OF SUIT | |
| Jun. 16, 2008 | NOTICE OF SUIT | |
| Jun. 02, 2008 | NOTICE OF SUIT | |
| May 20, 2008 | NOTICE OF SUIT | |
| Dec. 04, 2007 | CASE FILE IN TICRS | |
| Jun. 10, 2007 | REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS) | |
| Jun. 10, 2007 | REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED | |
| May 23, 2007 | ASSIGNED TO PARALEGAL | |
| Apr. 23, 2007 | REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED | |
| Apr. 23, 2007 | PAPER RECEIVED | |
| Oct. 30, 1997 | REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS) | |
| Sep. 25, 1997 | REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8 | |
| Sep. 25, 1997 | REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8 | |
| Nov. 01, 1983 | REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK. | |

TM Staff and Location Information

TM Staff Information - None**File Location**

Current Location: GENERIC WEB UPDATE

Date in Location: Dec. 06, 2017

Proceedings

Summary

Number of 13
Proceedings:

Type of Proceeding: Opposition

Proceeding [91252096](#)

Number:

Status: Terminated

Filing Date: Nov 06, 2019

Status Date: Feb 26, 2020

Interlocutory MIKE WEBSTER
Attorney:

Defendant

Name: WinIT proposals, LLC

Correspondent SHERRI E BIANCO

Address: 11314 KINGS VALLEY DRIVE
DAMASCUS MD UNITED STATES , 20872

Correspondent e- winit.proposals@gmail.com
mail:

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------|--------------------|---------------|---------------------|
|------|--------------------|---------------|---------------------|

IN & OUT GRAPHIX

[88333837](#)

Plaintiff(s)

Name: In-N-Out Burgers

Correspondent VALERIE SARIGUMBA

Address: 4199 CAMPUS DRIVE 9TH FLOOR
IRVINE CA UNITED STATES , 92612

Correspondent e- vsarigumba@innout.com
mail:

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|----------------|--------------------------|-------------------------|---------------------|
| IN-N-OUT | 75137201 | 2285823 | |
| IN-N-OUT | 73133175 | 1085163 | |
| IN-N-OUT | 73133174 | 1101638 | |
| IN-N-OUT | 73133176 | 1101628 | |
| IN-N-OUT | 75396996 | 2217307 | |
| IN-N-OUT | 73738305 | 1522799 | |
| IN-N-OUT | 73738306 | 1525982 | |
| IN-N-OUTBURGER | 75158254 | 2285842 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 7 | TERMINATED | Feb 26, 2020 | |
| 6 | BD DECISION: OPP SUSTAINED | Feb 26, 2020 | |
| 5 | W/DRAW OF APPLICATION W/O CONSENT | Feb 17, 2020 | |
| 4 | ANSWER | Nov 24, 2019 | |
| 3 | INSTITUTED | Nov 06, 2019 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Nov 06, 2019 | Dec 16, 2019 |
| 1 | FILED AND FEE | Nov 06, 2019 | |

Type of Proceeding: Opposition

Proceeding [91217195](#)

Number:

Status: Terminated

Filing Date: May 30, 2014

Status Date: Sep 23, 2014

Interlocutory ROBERT COGGINS
Attorney:

Defendant

Name: IN-N-OUT Grooming
Correspondent IN-N-OUT GROOMING
Address: 7300 BROMPTON ST , APT 4723
HOUSTON TX UNITED STATES , 77025-2166
Correspondent e- Josh.Mica@gmail.com
mail:

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|-------------------|--------------------|--------------------------|---------------------|
| IN-N-OUT GROOMING | | 85934540 | |

Plaintiff(s)

Name: In-N-Out Burgers
Correspondent VALERIE SARIGUMBA
Address: IN-N-OUT BURGERS
4199 CAMPUS DR, 9TH FLOOR
IRVINE CA UNITED STATES , 92612
Correspondent e- vsarigumba@innout.com , rblake@innout.com
mail:

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|-----------------|--------------------------|-------------------------|---------------------|
| IN-N-OUT | 73133175 | 1085163 | |
| IN-N-OUT | 73738305 | 1522799 | |
| IN-N-OUT | 73738306 | 1525982 | |
| IN-N-OUT | 73133176 | 1101628 | |
| IN-N-OUT | 73133174 | 1101638 | |
| IN-N-OUT | 75396996 | 2217307 | |
| IN-N-OUT BURGER | 73724456 | 1514689 | |
| IN-N-OUT BURGER | 74622923 | 1960015 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 7 | TERMINATED | Sep 23, 2014 | |
| 6 | BD DECISION: DISMISSED W/O PREJ | Sep 23, 2014 | |
| 5 | W/DRAW OF OPPOSITION | Sep 02, 2014 | |
| 4 | W/DRAW OF APPLICATION | Aug 25, 2014 | |
| 3 | PENDING, INSTITUTED | Jul 04, 2014 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Jul 04, 2014 | Aug 13, 2014 |
| 1 | FILED AND FEE | May 30, 2014 | |

Type of Proceeding: Opposition

Proceeding [91206796](#)
Number:

Filing Date: Aug 30, 2012

Status: Terminated

Status Date: Mar 01, 2014

Interlocutory YONG OH (RICHARD) KIM
Attorney:

Defendant

Name: Ryan Markus
Correspondent JEFFREY M FURR
Address: FURR LAW FIRM
2622 DEBOLT ROAD
UTICA OH UNITED STATES , 43080 9604
Correspondent e- JeffMFurr@FurrLawFirm.com , jeffmfurr@aol.com
mail:

Associated marks

Registration

| Mark | Application Status | Serial Number | Number | | | |
|---|---|--------------------------|-------------------------|--|--|--|
| IN AND OUT | | 85507551 | | | | |
| Plaintiff(s) | | | | | | |
| Name: In-N-Out Burgers | | | | | | |
| Correspondent VALERIE SARIGUMBA Address: IN N OUT BURGERS 4199 CAMPUS DRIVE, 9TH FLOOR IRVINE CA UNITED STATES , 92612 | | | | | | |
| Correspondent e-mail: bob@lauson.com , vsarigumba@innout.com , rblake@innout.com | | | | | | |
| Associated marks | | | | | | |
| Mark | Application Status | Serial Number | Registration Number | | | |
| IN-N-OUT | | 73133175 | 1085163 | | | |
| IN 'N' OUT | | 72389754 | 930203 | | | |
| IN-N-OUT | | 75396996 | 2217307 | | | |
| IN-N-OUT | | 75137201 | 2285823 | | | |
| Prosecution History | | | | | | |
| Entry Number | History Text | Date | Due Date | | | |
| 18 | TERMINATED | Mar 01, 2014 | | | | |
| 17 | BD DECISION: DISMISSED W/O PREJ | Mar 01, 2014 | | | | |
| 16 | W/DRAW OF OPPOSITION | Feb 14, 2014 | | | | |
| 15 | W/DRAW OF APPLICATION | Feb 13, 2014 | | | | |
| 14 | TRIAL DATES RESET | Jan 30, 2014 | | | | |
| 13 | STIP FOR EXT | Jan 09, 2014 | | | | |
| 12 | SUSPENDED | Dec 18, 2013 | | | | |
| 11 | STIP FOR EXT | Nov 11, 2013 | | | | |
| 10 | SUSPENDED | Sep 17, 2013 | | | | |
| 9 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Aug 14, 2013 | | | | |
| 8 | CONSOLIDATED - PARENT/TRIAL DATES RESET | Apr 23, 2013 | | | | |
| 7 | STIPULATION FOR AN EXTENSION OF TIME | Feb 04, 2013 | | | | |
| 6 | APPEARANCE | Oct 12, 2012 | | | | |
| 5 | D'S MOTION TO CONSOLIDATE | Oct 08, 2012 | | | | |
| 4 | ANSWER | Oct 08, 2012 | | | | |
| 3 | PENDING, INSTITUTED | Aug 30, 2012 | | | | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Aug 30, 2012 | Oct 09, 2012 | | | |
| 1 | FILED AND FEE | Aug 30, 2012 | | | | |
| Type of Proceeding: Opposition | | | | | | |
| Proceeding Number: | 91206797 Filing Date: Aug 30, 2012 | | | | | |
| Status: Terminated | Status Date: Mar 01, 2014 | | | | | |
| Interlocutory Attorney: YONG OH (RICHARD) KIM | | | | | | |
| Defendant | | | | | | |
| Name: Markus, Ryan Correspondent JEFFREY M FURR Address: FURR LAW FIRM 2622 DEBOLT RD UTICA OH UNITED STATES , 43080-9604 | | | | | | |
| Correspondent e-mail: JeffMFurr@FurrLawFirm.com | | | | | | |
| Associated marks | | | | | | |
| Mark | Application Status | Serial Number | Registration Number | | | |
| IN N OUT | | 85511776 | | | | |
| Plaintiff(s) | | | | | | |

Name: In-N-Out Burgers

Correspondent: VALERIE SARIGUEMBA
Address: IN-N-OUT BURGERS
 4199 CAMPUS DRIVE, 9TH FLOOR
 IRVINE CA UNITED STATES , 92612

Correspondent e-mail: vsarigumba@innout.com , rblake@innout.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------------|--------------------|--------------------------|-------------------------|
| IN-N-OUT | | 73133175 | 1085163 |
| IN 'N' OUT | | 72389754 | 930203 |
| IN-N-OUT | | 75396996 | 2217307 |
| IN-N-OUT | | 75137201 | 2285823 |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 10 | TERMINATED | Mar 01, 2014 | |
| 9 | BD DECISION: DISMISSED W/O PREJ | Mar 01, 2014 | |
| 8 | CONSOLIDATED - CHILD OF 91206797 | Apr 23, 2013 | |
| 7 | STIPULATION FOR AN EXTENSION OF TIME | Feb 04, 2013 | |
| 6 | APPEARANCE | Oct 12, 2012 | |
| 5 | D'S MOTION TO CONSOLIDATE | Oct 08, 2012 | |
| 4 | ANSWER | Oct 08, 2012 | |
| 3 | PENDING, INSTITUTED | Aug 30, 2012 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Aug 30, 2012 | Oct 09, 2012 |
| 1 | FILED AND FEE | Aug 30, 2012 | |

Type of Proceeding: Opposition

Proceeding Number: [91196649](#)

Filing Date: Sep 28, 2010

Status: Terminated

Status Date: Sep 21, 2011

Interlocutory Attorney: MICHAEL B ADLIN

Defendant

Name: Cambrela, Inc.

Correspondent: MICHAEL FEDRICK
Address: LOZA LOZA LLP
 305 N 2ND AVE 127
 UPLAND CA UNITED STATES , 91786 6064

Correspondent e-mail: mike@lozaip.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|---------------------------|--------------------|--------------------------|---------------------|
| IN AND OUT TRAFFIC SCHOOL | | 77857320 | |

Plaintiff(s)

Name: In-N-Out Burgers, a California Corporation

Correspondent: ROBERT J LAUSON
Address: LAUSON TARVER LLP
 880 APOLLO STREET , SUITE 301
 EL SEGUNDO CA UNITED STATES , 90245

Correspondent e-mail: bob@lauson.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|-----------------|--------------------|--------------------------|-------------------------|
| IN-N-OUT | | 73133175 | 1085163 |
| IN-N-OUT BURGER | | 75559057 | 2291183 |

| | | |
|----------------------------|--------------------------|-------------------------|
| IN & OUT | 74323081 | 1780587 |
| IN 'N' OUT | 72389754 | 930203 |
| IN-N-OUT | 75396996 | 2217307 |
| IN-N-OUT | 75137201 | 2285823 |
| IN-N-OUT BURGER FOUNDATION | 75061338 | 2035491 |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|---|--------------|--------------|
| 18 | TERMINATED | Sep 21, 2011 | |
| 17 | BD'S DECISION: DISMISSED W/O PREJUDICE | Sep 21, 2011 | |
| 16 | STIP DISMISSAL WO PREJUDICE | Sep 20, 2011 | |
| 15 | SUSPENDED | Jul 08, 2011 | |
| 14 | STIP TO SUSPEND PEND SETTLEMENT NEGOTNS | Jul 08, 2011 | |
| 13 | RESPONSE DUE 30 DAYS (DUE DATE) | May 10, 2011 | Jun 09, 2011 |
| 12 | EXTENSION OF TIME GRANTED | Apr 14, 2011 | |
| 11 | STIPULATION FOR AN EXTENSION OF TIME | Apr 14, 2011 | |
| 10 | P'S MOTION TO AMEND PLEADING/AMENDED PLEADING | Mar 23, 2011 | |
| 9 | CHANGE OF CORRESPONDENCE ADDRESS | Mar 11, 2011 | |
| 8 | EXTENSION OF TIME GRANTED | Feb 11, 2011 | |
| 7 | D'S MOTION FOR AN EXTENSION OF TIME | Feb 07, 2011 | |
| 6 | CORRECTION TO BOARD'S ORDER | Nov 18, 2010 | |
| 5 | ANSWER | Nov 05, 2010 | |
| 4 | OPP'S MOTION TO CORRECT OPP'S NAME | Oct 22, 2010 | |
| 3 | PENDING, INSTITUTED | Sep 28, 2010 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Sep 28, 2010 | Nov 07, 2010 |
| 1 | FILED AND FEE | Sep 28, 2010 | |

Type of Proceeding: Opposition

Proceeding [91196420](#)
Number:

Filing Date: Sep 09, 2010

Status: Terminated

Status Date: Dec 15, 2010

Interlocutory MICHAEL B ADLIN
Attorney:

Defendant

Name: Medidenta International, Inc.

Correspondent OLIVER R CHERNIN
Address: MCLAUGHLIN & STERN LLP
260 MADISON AVENUE
NEW YORK NY UNITED STATES , 10016

Correspondent e- ochernin@mclaughlinstern.com
mail:

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|-----------------------------------|--------------------|--------------------------|---------------------|
| IN N OUT HANDPIECE REPAIR SERVICE | | 77962708 | |

Plaintiff(s)

Name: In-N-Out Burger, Inc.

Correspondent EDWIN TARVER
Address: LAUSON & TARVER LLP
880 APOLLO STREET , SUITE 301
EL SEGUNDO CA UNITED STATES , 90245

Correspondent e- Bob@lauson.com
mail:

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|----------|--------------------|--------------------------|-------------------------|
| IN-N-OUT | | 73133175 | 1085163 |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|---|--------------|--------------|
| 15 | TERMINATED | Dec 15, 2010 | |
| 14 | BD'S DECISION: DISMISSED W/ PREJUDICE | Dec 15, 2010 | |
| 13 | WITHDRAWAL OF OPPOSITION | Dec 09, 2010 | |
| 12 | RESPONSE DUE 30 DAYS (DUE DATE) | Dec 08, 2010 | Jan 07, 2011 |
| 11 | MOTION TO AMEND APPLICATION | Nov 22, 2010 | |
| 10 | MOTION TO AMEND APPLICATION | Nov 22, 2010 | |
| 9 | SUSPENDED | Nov 18, 2010 | |
| 8 | STIP TO SUSPEND PEND SETTLEMENT NEGOTNS | Nov 18, 2010 | |
| 7 | EXTENSION OF TIME GRANTED | Oct 27, 2010 | |
| 6 | STIPULATION FOR AN EXTENSION OF TIME | Oct 15, 2010 | |
| 5 | CHANGE OF CORRESPONDENCE ADDRESS | Sep 22, 2010 | |
| 4 | D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY | Sep 22, 2010 | |
| 3 | PENDING, INSTITUTED | Sep 09, 2010 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Sep 09, 2010 | Oct 19, 2010 |
| 1 | FILED AND FEE | Sep 09, 2010 | |

Type of Proceeding: Opposition

Proceeding [91188062](#)
Number:

Filing Date: Dec 17, 2008

Status: Terminated

Status Date: Mar 23, 2009

Interlocutory ANGELA LYKOS
Attorney:

Defendant

Name: GREAT BUYS, INC.

Correspondent GREGG ZEGARELLI
Address: ZEGARELLI LAW GROUP
429 FORBES AVE STE 1212
PITTSBURGH PA UNITED STATES , 15219-1625

Correspondent e- mailroom.grz@zegarelli.com
mail:

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------|--------------------|---------------|---------------------|
|------|--------------------|---------------|---------------------|

INOUT DEALS

[77475624](#)

Plaintiff(s)

Name: In-N-Out Burgers

Correspondent Margaret Niver McGann
Address: Parsons Behle & Latimer
201 South Main Street, Suite 1800
Salt Lake City UT UNITED STATES , 84111

Correspondent e- mmcgann@parsonsbehle.com , cjohns@parsonsbehle.com , jwhite@parsonsbehle.com
mail:

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|-----------------|--------------------------|-------------------------|---------------------|
| IN-N-OUT | 73133176 | 1101628 | |
| IN-N-OUT | 73133175 | 1085163 | |
| IN-N-OUT | 73133174 | 1101638 | |
| IN-N-OUT | 75396996 | 2217307 | |
| IN-N-OUT | 75137201 | 2285823 | |
| IN 'N' OUT | 72389754 | 930203 | |
| IN-N-OUT BURGER | 74622923 | 1960015 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|-----------------------------|--------------|----------|
| 7 | TERMINATED | Mar 23, 2009 | |
| 6 | BOARD'S DECISION: SUSTAINED | Mar 23, 2009 | |

| | | |
|---|--|--------------|
| 5 | ABANDONMENT | Mar 20, 2009 |
| 4 | ANSWER | Jan 14, 2009 |
| 3 | PENDING, INSTITUTED | Dec 17, 2008 |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Dec 17, 2008 |
| 1 | FILED AND FEE | Jan 26, 2009 |
| | | Dec 17, 2008 |

Type of Proceeding: Opposition

Proceeding [91186958](#)
Number:

Filing Date: Oct 14, 2008

Status: Terminated

Status Date: Sep 16, 2009

Interlocutory CHERYL S GOODMAN
Attorney:

Defendant

Name: Obadia Alain

Correspondent Leonard Budow

Address: Leonard N Budow PC
Ste 4613 350 5th Avenue
New York NY UNITED STATES , 10118-4613

Correspondent e- lb@budowlaw.us
mail:

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|----------|--------------------|--------------------------|---------------------|
| IN & OUT | | 77283492 | |

Plaintiff(s)

Name: In-N-Out Burgers

Correspondent Ariana Gallisa

Address: Pillsbury Winthrop Shaw Pittman LLP
P.O. Box 7780, Calendar/Docketing Dept.
San Francisco CA UNITED STATES , 94120-7880

Correspondent e- sftrademarks@pillsburylaw.com , ariana.gallisa@pillsburylaw.com
mail:

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------------------|--------------------------|-------------------------|---------------------|
| IN-N-OUT | 73133175 | 1085163 | |
| IN-N-OUT | 73133176 | 1101628 | |
| IN-N-OUT | 73133174 | 1101638 | |
| IN-N-OUT | 73738305 | 1522799 | |
| IN-N-OUT | 73738306 | 1525982 | |
| IN-N-OUT | 75396996 | 2217307 | |
| IN-N-OUT | 75137201 | 2285823 | |
| IN 'N' OUT | 72389754 | 930203 | |
| ENTRADA-Y-SALIDA | 74599705 | 2048138 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|---|--------------|----------|
| 13 | TERMINATED | Sep 16, 2009 | |
| 12 | BOARD'S DECISION: SUSTAINED | Sep 16, 2009 | |
| 11 | WITHDRAWAL OF APPLICATION | Sep 15, 2009 | |
| 10 | CHANGE OF CORRESPONDENCE ADDRESS | Aug 21, 2009 | |
| 9 | APPEARANCE | Aug 21, 2009 | |
| 8 | SUSPENDED | Jul 07, 2009 | |
| 7 | STIP TO SUSPEND PEND SETTLEMENT NEGOTNS | Jul 07, 2009 | |
| 6 | ANSWER | Jan 20, 2009 | |
| 5 | EXTENSION OF TIME GRANTED | Oct 24, 2008 | |
| 4 | STIPULATION FOR AN EXTENSION OF TIME | Oct 24, 2008 | |
| 3 | PENDING, INSTITUTED | Oct 14, 2008 | |

| | | | |
|---|--|--------------|--------------|
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Oct 14, 2008 | Nov 23, 2008 |
| 1 | FILED AND FEE | Oct 14, 2008 | |

Type of Proceeding: Opposition

Proceeding [91186018](#)
Number:

Filing Date: Aug 16, 2008

Status: Terminated

Status Date: May 28, 2009

Interlocutory MARY CATHERINE FAINT
Attorney:

Defendant

Name: Brian Quaglia and Sandra Quaglia

Correspondent Brian Quaglia

Address: 77 Peck Street
Rehoboth MA UNITED STATES , 02886

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|----------|--------------------|--------------------------|---------------------|
| IN & OUT | | 76687302 | |

Plaintiff(s)

Name: In-N-Out Burgers

Correspondent Edward O. Ansell

Address: Law Office of Edward O. Ansell
427 N. Yale Avenue, Suite 204
Claremont CA UNITED STATES , 91711

Correspondent e- anselaw@verizon.net
mail:

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|-----------------|--------------------|--------------------------|-------------------------|
| IN-N-OUT | | 75137201 | 2285823 |
| IN-N-OUT BURGER | | 73724456 | 1514689 |
| IN-N-OUT BURGER | | 74622923 | 1960015 |
| IN-N-OUT | | 73133175 | 1085163 |
| IN-N-OUT | | 73738305 | 1522799 |
| IN-N-OUT | | 73738306 | 1525982 |
| IN-N-OUT | | 73133176 | 1101628 |
| IN-N-OUT | | 73133174 | 1101638 |
| IN-N-OUT | | 75396996 | 2217307 |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 18 | TERMINATED | May 28, 2009 | |
| 17 | BOARD'S DECISION: SUSTAINED | May 28, 2009 | |
| 16 | COPY #15 | May 26, 2009 | |
| 15 | WITHDRAWAL OF APPLICATION | May 21, 2009 | |
| 14 | SUSPENDED PENDING DISP OF OUTSTNDNG MOT | May 05, 2009 | |
| 13 | P'S MOTION FOR SUMMARY JUDGMENT | Apr 28, 2009 | |
| 12 | D'S UNDELIVERABLE MAIL | Apr 13, 2009 | |
| 11 | P'S RESPONSE TO BOARD ORDER/INQUIRY | Apr 09, 2009 | |
| 10 | TRIAL DATES SET | Apr 03, 2009 | |
| 9 | COPY #8 W/CERTIFICATE OF SERVICE | Apr 01, 2009 | |
| 8 | P'S MOTION TO JOIN INDISPENSIBLE PARTY | Mar 30, 2009 | |
| 7 | TRIAL DATES RESET | Mar 13, 2009 | |
| 6 | SUSPENDED PENDING DISP OF OUTSTNDNG MOT | Oct 10, 2008 | |
| 5 | P'S OPPOSITION/RESPONSE TO MOTION | Sep 26, 2008 | |
| 4 | ANSWER | Sep 15, 2008 | |
| 3 | PENDING, INSTITUTED | Aug 26, 2008 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Aug 26, 2008 | Oct 05, 2008 |

Type of Proceeding: Opposition

Proceeding [91183888](#)
Number:

Filing Date: May 05, 2008

Status: Terminated

Status Date: Jun 13, 2013

Interlocutory ANN LINNEHAN VOGLER
Attorney:

Defendant

Name: Fast Lane Car Wash & Lube, L.L.C.

Correspondent RICHARD L SCHNAKE
Address: THE LAW FIRM OF NEALE & NEWMAN LLP
PO BOX 10327
SPRINGFIELD MO UNITED STATES , 65808-0327

Correspondent e- DWooten@nnlaw.com
mail:

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|-------------------|--------------------|--------------------------|---------------------|
| IN & OUT CAR WASH | | 77234104 | |

Plaintiff(s)

Name: In-N-Out Burgers

Correspondent ROBERT J LAUSON
Address: LAUSON AND TARVER LLP
880 APOLLO STREET, SUITE 301
EL SEGUNDO CA UNITED STATES , 90245

Correspondent e- bob@lauson.com , edwin@lauson.com
mail:

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|-----------------|--------------------|--------------------------|-------------------------|
| IN-N-OUT | | 73133175 | 1085163 |
| IN-N-OUT | | 73738305 | 1522799 |
| IN-N-OUT | | 73738306 | 1525982 |
| IN-N-OUT | | 73133176 | 1101628 |
| IN-N-OUT | | 73133174 | 1101638 |
| IN-N-OUT | | 75396996 | 2217307 |
| IN-N-OUT BURGER | | 73724456 | 1514689 |
| IN-N-OUT BURGER | | 74622923 | 1960015 |
| IN-N-OUT BURGER | | 76669013 | 3367471 |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|---|--------------|----------|
| 84 | TERMINATED | Jun 13, 2013 | |
| 83 | BD DECISION: DISMISSED | Mar 14, 2013 | |
| 82 | DEFENDANT'S NOTICE OF RELIANCE EXHIBITS | Nov 07, 2011 | |
| 81 | DEFENDANT'S NOTICE OF RELIANCE EXHIBITS | Nov 07, 2011 | |
| 80 | DEFENDANT'S NOTICE OF RELIANCE EXHIBITS | Nov 07, 2011 | |
| 79 | DEFENDANT'S NOTICE OF RELIANCE EXHIBITS | Nov 07, 2011 | |
| 78 | DEFENDANT'S NOTICE OF RELIANCE EXHIBITS | Nov 07, 2011 | |
| 77 | DEFENDANT'S NOTICE OF RELIANCE EXHIBITS 862-879 | Nov 07, 2011 | |
| 76 | SUBMITTED ON BRIEF | Apr 11, 2012 | |
| 75 | PLAINTIFF'S NOTICE OF RELIANCE | Apr 04, 2012 | |
| 74 | P'S REBUTTAL BRIEF | Apr 02, 2012 | |
| 73 | FINAL BRIEF ON MERITS FOR DEFENDANT(S) | Mar 16, 2012 | |
| 72 | BRIEF ON MERITS FOR PLAINTIFF | Feb 14, 2012 | |
| 71 | P'S NOTICE OF TAKING TESTIMONY | Feb 07, 2012 | |
| 70 | PLAINTIFF'S NOTICE OF RELIANCE | Jan 03, 2012 | |

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| 69 | PLAINTIFF'S NOTICE OF RELIANCE | Dec 28, 2011 |
| 68 | PLAINTIFF'S NOTICE OF RELIANCE | Dec 16, 2011 |
| 67 | PLAINTIFF'S NOTICE OF RELIANCE | Dec 28, 2011 |
| 66 | DEFENDANT'S NOTICE OF RELIANCE | Nov 07, 2011 |
| 65 | DEFENDANT'S NOTICE OF RELIANCE | Nov 07, 2011 |
| 64 | DEFENDANT'S NOTICE OF RELIANCE | Nov 07, 2011 |
| 63 | DEFENDANT'S NOTICE OF RELIANCE | Nov 07, 2011 |
| 62 | DEFENDANT'S NOTICE OF RELIANCE | Nov 07, 2011 |
| 61 | DEFENDANT'S NOTICE OF RELIANCE | Nov 07, 2011 |
| 60 | DEFENDANT'S NOTICE OF RELIANCE | Nov 07, 2011 |
| 59 | TESTIMONY FOR DEFENDANT | Nov 18, 2011 |
| 58 | TESTIMONY FOR DEFENDANT | Nov 18, 2011 |
| 57 | P'S REBUTTAL PRETRIAL DISCLOSURES | Nov 17, 2011 |
| 56 | D'S NOTICE OF DEPOSITIONS | Oct 21, 2011 |
| 55 | D'S PRETRIAL DISCLOSURES | Sep 16, 2011 |
| 54 | PLAINTIFF'S NOTICE OF RELIANCE | Sep 09, 2011 |
| 53 | PLAINTIFF'S NOTICE OF RELIANCE | Sep 09, 2011 |
| 52 | EXTENSION OF TIME GRANTED | Jun 17, 2011 |
| 51 | P'S MOT FOR EXTEN. OF TIME W/ CONSENT | Jun 17, 2011 |
| 50 | EXTENSION OF TIME GRANTED | May 19, 2011 |
| 49 | STIPULATION FOR AN EXTENSION OF TIME | May 19, 2011 |
| 48 | EXTENSION OF TIME GRANTED | Apr 11, 2011 |
| 47 | STIPULATION FOR AN EXTENSION OF TIME | Apr 11, 2011 |
| 46 | EXTENSION OF TIME GRANTED | Mar 17, 2011 |
| 45 | STIPULATION FOR AN EXTENSION OF TIME | Mar 17, 2011 |
| 44 | BOARD'S ORDER TRIAL DATES REMAIN AS PREVIOUSLY SET | Feb 28, 2011 |
| 43 | APPEARANCE | Feb 25, 2011 |
| 42 | EXTENSION OF TIME GRANTED | Feb 18, 2011 |
| 41 | STIPULATION FOR AN EXTENSION OF TIME | Feb 18, 2011 |
| 40 | EXTENSION OF TIME GRANTED | Jan 19, 2011 |
| 39 | STIPULATION FOR AN EXTENSION OF TIME | Jan 19, 2011 |
| 38 | EXTENSION OF TIME GRANTED | Oct 28, 2010 |
| 37 | STIPULATION FOR AN EXTENSION OF TIME | Oct 28, 2010 |
| 36 | D'S MOTION TO CONDUCT DEPO BY VIDEO CONFERENCE GRANTED/REMAINING TRIAL DATES RESET | Sep 20, 2010 |
| 35 | P'S MOTION TO QUASH | Sep 09, 2010 |
| 34 | P'S OPPOSITION/RESPONSE TO MOTION | Sep 07, 2010 |
| 33 | D'S MOTION TO COMPEL DISCOVERY | Aug 27, 2010 |
| 32 | EXTENSION OF TIME GRANTED | Jul 22, 2010 |
| 31 | STIPULATION FOR AN EXTENSION OF TIME | Jul 22, 2010 |
| 30 | ANSWER | Jul 22, 2010 |
| 29 | RESPONSE DUE 30 DAYS (DUE DATE) | Jun 23, 2010 |
| 28 | CHANGE OF CORRESPONDENCE ADDRESS | Feb 09, 2010 |
| 27 | D'S OPPOSITION/RESPONSE TO MOTION | Jan 19, 2010 |
| 26 | SUSPENDED PENDING DISP OF OUTSTNDNG MOT | Jan 07, 2010 |
| 25 | P'S MOTION TO AMEND PLEADING/AMENDED PLEADING | Jan 04, 2010 |
| 24 | P'S MOTION TO AMEND PLEADING/AMENDED PLEADING | Jan 04, 2010 |
| 23 | PL'S MOT. FOR SUMM. JUDGMENT DENIED | Dec 29, 2009 |
| 22 | P'S REPLY IN SUPPORT OF MOTION | Oct 30, 2009 |
| 21 | D'S OPPOSITION/RESPONSE TO MOTION | Oct 15, 2009 |
| 20 | AMENDED ANSWER | Sep 14, 2009 |
| 19 | SUSPENDED | Aug 17, 2009 |
| 18 | D'S REPLY IN SUPPORT OF MOTION | May 26, 2009 |
| 17 | P COMMUNICATION | May 08, 2009 |
| 16 | P'S OPPOSITION/RESPONSE TO MOTION | May 08, 2009 |
| 15 | SUSPENDED PENDING DISP OF OUTSTNDNG MOT | May 01, 2009 |

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|----|--|--------------|
| 14 | D'S RESP2 O'S MSJ-56(F) | Apr 24, 2009 |
| 13 | D'S MOTION TO COMPEL DISCOVERY | Apr 24, 2009 |
| 12 | SUSPENDED PENDING DISP OF OUTSTNDNG MOT | Apr 16, 2009 |
| 11 | P'S MOTION FOR AN EXTENSION OF TIME | Apr 13, 2009 |
| 10 | P'S MSJ AND M4LV2 AMEND NOO | Apr 11, 2009 |
| 9 | Unsigned copy of #10 | Apr 11, 2009 |
| 8 | TRIAL DATES RESET | Dec 16, 2008 |
| 7 | D'S MOTION TO COMPEL DISCOVERY | Dec 11, 2008 |
| 6 | EXTENSION OF TIME GRANTED | Aug 06, 2008 |
| 5 | STIPULATION FOR AN EXTENSION OF TIME | Aug 06, 2008 |
| 4 | ANSWER | Jun 12, 2008 |
| 3 | PENDING, INSTITUTED | May 05, 2008 |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | May 05, 2008 |
| 1 | FILED AND FEE | May 05, 2008 |

Type of Proceeding: Opposition

Proceeding [91183495](#)
Number:

Filing Date: Apr 11, 2008

Status: Terminated

Status Date: Jul 07, 2008

Interlocutory ANN LINNEHAN VOGLER
Attorney:

Defendant

Name: John Robinson Pratt

Correspondent John Robinson Pratt
Address: 501 Hahaione Street, Apt. 9H
Honolulu HI UNITED STATES , 96825-1447

Correspondent e- pioneerdigitalmedia@hawaii.rr.com
mail:

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|----------------|--------------------|--------------------------|---------------------|
| PUNCH IN & OUT | | 77224114 | |

Plaintiff(s)

Name: In-N-Out Burgers

Correspondent Edward O. Ansell
Address: Law Office of Edward O. Ansell
427 N. Yale Ave.Suite 204
Claremont CA UNITED STATES , 91711

Correspondent e- anselaw@verizon.net
mail:

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|----------|--------------------|--------------------------|-------------------------|
| IN-N-OUT | | 75137201 | 2285823 |
| IN-N-OUT | | 73133175 | 1085163 |
| IN-N-OUT | | 73738305 | 1522799 |
| IN-N-OUT | | 73738306 | 1525982 |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 7 | TERMINATED | Jul 07, 2008 | |
| 6 | BD'S DECISION: DISMISSED W/O PREJUDICE | Jul 07, 2008 | |
| 5 | WITHDRAWAL OF OPPOSITION | Jun 07, 2008 | |
| 4 | P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS | Apr 15, 2008 | |
| 3 | PENDING, INSTITUTED | Apr 11, 2008 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Apr 11, 2008 | May 21, 2008 |
| 1 | FILED AND FEE | Apr 11, 2008 | |

Type of Proceeding: Opposition

Proceeding [91165745](#)
Number:

Filing Date: Jul 04, 2005

Status: Terminated

Status Date: Jan 07, 2007

Interlocutory ANDREW P BAXLEY
Attorney:

Defendant

Name: The Original Bono's, Inc.

Correspondent Richard S. Vermut
Address: Rogers Towers, P.A.
1301 Riverplace Blvd., Suite 1500
Jacksonville FL UNITED STATES , 32207

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------|--------------------|---------------|---------------------|
|------|--------------------|---------------|---------------------|

PIG OUT OR PIG IN

[78411273](#)

Plaintiff(s)

Name: IN-N-OUT BURGERS

Correspondent Edward O. Ansell
Address: Law Office of Edward O. Ansell
427 N. Yale Ave., #204, POST OFFICE BOX 1163
Claremont CA UNITED STATES , 91711Correspondent e- anselaw@verizon.net
mail:

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------|--------------------|---------------|---------------------|
|------|--------------------|---------------|---------------------|

IN-N-OUT

[73133175](#)[1085163](#)

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|----------|
| 33 | TERMINATED | Jan 04, 2007 | |
| 32 | BOARD'S DECISION: SUSTAINED | Jan 04, 2007 | |
| 31 | WITHDRAWAL OF APPLICATION | Jan 04, 2007 | |
| 30 | TRIAL DATES RESET | Jan 04, 2007 | |
| 29 | P'S MOTION TO COMPEL DISCOVERY | Dec 14, 2006 | |
| 28 | Confidential - P's Mot to Compel | Dec 14, 2006 | |
| 27 | BOARD'S ORDER OPPOSER'S MOTION FOR A PROTECTIVE ORDER EXTENDING TIME TO RESPOND TO THE MOTION TO COM | Oct 04, 2006 | |
| 26 | D'S OPPOSITION/RESPONSE TO MOTION | Oct 03, 2006 | |
| 25 | DEFENDANT'S MOTION TO EXTEND DISCOVERY IS GRANTED TRIAL DATES ARE HEREBY RESET | Sep 21, 2006 | |
| 24 | OPP'S PROTECTIVE ORDER | Sep 18, 2006 | |
| 23 | D'S MOTION TO COMPEL DISCOVERY | Sep 08, 2006 | |
| 22 | STIPULATION FOR AN EXTENSION OF TIME | Sep 08, 2006 | |
| 21 | APPLICANT'S MOTION TO COMPEL AND EXTEND IS DENIED TRIAL DATES ARE RESET | Jun 13, 2006 | |
| 20 | RESPONSE TO MOTION TO COMPEL | Jun 10, 2006 | |
| 19 | SUSPENDED | May 30, 2006 | |
| 18 | D'S MOTION TO COMPEL DISCOVERY | May 26, 2006 | |
| 17 | PAPER RECEIVED AT TTAB | May 15, 2006 | |
| 16 | P'S RESPONSE TO BOARD ORDER/INQUIRY | May 12, 2006 | |
| 15 | PROC RESUMED, T.D. RESET | Apr 16, 2006 | |
| 14 | OPP'S REPLY TO APPL'S RESPONSE | Mar 07, 2006 | |
| 13 | D'S OPPOSITION/RESPONSE TO MOTION | Feb 23, 2006 | |
| 12 | SUSPENDED | Feb 17, 2006 | |
| 11 | MOTION TO COMPEL | Feb 04, 2006 | |
| 10 | PROCEED RESUMED; TRIAL DATE RESET | Dec 02, 2005 | |
| 9 | OTHER FILING | Oct 24, 2005 | |

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|---|--|------------------------------|
| 8 | SUSPENDED PENDING DISP OF OUTSTNDNG MOT | Sep 21, 2005 |
| 7 | D'S OPPOSITION/RESPONSE TO MOTION | Sep 19, 2005 |
| 6 | MOTION TO AMEND ANSWER/AMENDED ANSWER OR COUNTERCLAIM | Sep 19, 2005 |
| 5 | MOTION TO STRIKE RESPONDENT D'S FIRST, THIRD AND FOURTH AFFIRMATIVE DEFENSES | Aug 29, 2005 |
| 4 | ANSWER | Aug 11, 2005 |
| 3 | PENDING, INSTITUTED | Jul 05, 2005 |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Jul 05, 2005 |
| 1 | FILED AND FEE | Aug 14, 2005 Jul 04, 2005 |

Type of Proceeding: Extension of Time**Proceeding** [78411273](#)
Number:**Filing Date:** Mar 18, 2005**Status:** Terminated**Status Date:** Mar 18, 2005**Interlocutory
Attorney:****Defendant****Name:** The Original Bono's, Inc.**Correspondent** Thomas C. Saitta
Address: Rogers Towers, P.A.
1301 Riverplace Blvd. Suite 1500
Jacksonville FL UNITED STATES , 32207**Associated marks**

| Mark | Application Status | Serial Number | Registration Number |
|-------------------|--------------------|--------------------------|---------------------|
| PIG OUT OR PIG IN | | 78411273 | |

Potential Opposer(s)**Name:** City Barbeque, Inc.**Correspondent** Melanie Martin-Jones
Address: Porter Wright Morris & Arthur, LLP
41 S. High StreetSuite 2800
Columbus OH UNITED STATES , 43215**Correspondent e-** mmartin-jones@porterwright.com
mail:**Name:** IN-N-OUT BURGERS**Correspondent** Edward O. Ansell
Address: Law Office of Edward O. Ansell
427 N. Yale Ave., #204P.O. Box 1163
Claremont CA UNITED STATES , 91711**Correspondent e-** anselaw@verizon.net
mail:**Associated marks**

| Mark | Application Status | Serial Number | Registration Number |
|----------|--------------------|--------------------------|-------------------------|
| IN-N-OUT | | 73133175 | 1085163 |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|-------------------------------------|--------------|----------|
| 9 | TERMINATED | Jul 05, 2005 | |
| 8 | EXTENSION OF TIME GRANTED | May 06, 2005 | |
| 7 | INCOMING - EXT TIME TO OPPOSE FILED | May 06, 2005 | |
| 6 | EXTENSION OF TIME GRANTED | May 05, 2005 | |
| 5 | INCOMING - EXT TIME TO OPPOSE FILED | May 05, 2005 | |
| 4 | EXTENSION OF TIME GRANTED | Apr 07, 2005 | |
| 3 | INCOMING - EXT TIME TO OPPOSE FILED | Apr 07, 2005 | |
| 2 | EXTENSION OF TIME GRANTED | Mar 18, 2005 | |
| 1 | INCOMING - EXT TIME TO OPPOSE FILED | Mar 18, 2005 | |

Int. Cl.: 42

Prior U.S. Cl.: 100

United States Patent Office

Reg. No. 1,085,163
Registered Feb. 7, 1978

SERVICE MARK
Principal Register

IN-N-OUT

In-N-Out Burgers (California corporation)
13502 E. Virginia Ave.
Baldwin Park, Calif. 91706

For: RESTAURANT SERVICES AND CARRY-OUT
RESTAURANT SERVICES, in CLASS 42 (U.S. CL.
100).

First use at least as early as 1949; in commerce at least
as early as 1949.

Owner of Reg. Nos. 1,023,506, 1,031,095, and 1,031-
096.

Ser. No. 133,175, filed July 7, 1977.

JOHN C. DEMOS, Supervisory Examiner
DEBORAH KRAMM, Examiner